

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

GENEVA HENDERSON, *et al.*,

Plaintiffs,

v.

EMORY UNIVERSITY, *et al.*,

Defendants.

Civil Action No. 1:16-cv-02920-CAP

DEFENDANTS' MOTION TO DISMISS THE AMENDED COMPLAINT

Defendants Emory University, Emory Healthcare, Inc., Emory Pension Board, Emory Investment Management, Mary L. Cahill, Mary Beth Allen, Dallis Howard-Crow, Dr. Douglas Morris, Brooke Moore, James T. Hatcher, Peter Barnes, Carol Dillon Kissal, and Edith Murphree (collectively, "Defendants") hereby move to dismiss Plaintiffs' Amended Complaint (Dkt. 30) pursuant to Federal Rule of Civil Procedure 12(b)(6) for failure to state a claim upon which relief can be granted. In support of their Motion, Defendants rely upon the accompanying Memorandum of Support of Defendants' Motion to Dismiss the Amended Complaint and accompanying exhibits.

WHEREFORE, for the reasons set forth in the Memorandum, Defendants respectfully requests that the Court grant their Motion and dismiss the Amended Complaint in its entirety and with prejudice.

Respectfully submitted this 16th day of December, 2016.

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CERTIFICATE OF SERVICE AND TYPE SIZE COMPLIANCE

Pursuant to N.D. Ga. Local Rule 5.1, the foregoing is prepared in Times New Roman, 14 point, and was filed with the Clerk of Court using the CM/ECF system which will automatically send email notification of such filing to all counsel of record.

This 16th day of December, 2016.

/s/ Sean K. McMahan
Sean K. McMahan

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